

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 4, 2000

DIVISION TWO

B123307 People (Not for Publication)
v.
Berrios

The trial court is ordered to modify the abstract of judgment to reflect that the enhancement of five years for count 2 was imposed pursuant to Penal Code section 667, subdivision (a) (1), rather than Penal Code section 12022.5, subdivision (a), and to forward the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Nott, Acting P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

B126542 People (Not for Publication)
v.
Delgatto

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

DIVISION TWO (Continued)

B129537 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Helen A.

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

B127782 People (Not for Publication)
 v.
 Freeman

The Court:

The matter is remanded for resentencing as to the Penal Code sections 667.5, subdivision (b) allegation in accordance with the views herein expressed. The judgment is modified to impose a \$1,200 parole revocation fine pursuant to Penal Code section 1202.45, that fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect this fine. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B131630 People (Not for Publication)
 v.
 Fulker

The Court:

The judgment is affirmed.

Nott, Acting P.J., Cooper, J., Mallano, J. (Assigned)

January 4, 2000-Continued

DIVISION TWO (Continued)

B130603 People (Not for Publication)
v.
Jones

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

[illegible]

The Court:

The judgment is modified to impose a \$5,000 parole revocation fine pursuant to Penal Code section 1202.45, that fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect this fine. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B128756 People (Not for Publication)
v.
Lee

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Mallano, J. (Assigned)

January 4, 2000-Continued

DIVISION FOUR

B130306 People (Not for Publication)
v.
Divencenzo

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B122957 Sass (Not for Publication)
v.
Spacecam Systems

The order dismissing the action is reversed. The matter is remanded for further proceedings in accordance with the views expressed here. The parties shall bear their own costs.

Dau, J. (Assigned)

We concur: Epstein, Acting P.J.
Hastings, J.

[illegible]

The judgment insofar as respondent Ailine Foutch is reversed and the cause is remanded for new trial. The judgment insofar as respondent Russell Foutch, Sr., is affirmed. Appellant shall recover his costs.

Dau, J. (Assigned)

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B126943 People v. Denham
B127316 People v. Jenkins
B129146 People v. Turner
B130385 People v. Downs
B126762 People v. Shaw
B129214 People v. Medina
B130791 People v. Truong
B130451 People v. Peralta
B130553 People v. Ramirez
B130307 People v. Williams
B128710 Conservatorship of Jennie Fite

Argument waived, cause submitted.

B128942 Lucille Banks
 v.
 Cedars Sinai Medical Center

Merits:

Argued by Lee R. Feldman for appellant and by Maureen V. Brennan for respondent. Cause submitted.

B131031 Harvey Bookstein
 v.
 Gross Enterprises, Inc., et al.

Merits:

Argued by Stephan A. Schneider for plaintiff, appellant, and cross-respondent and by Edwin C. Schreiber for respondents and by Eric A. Schreiber for cross-appellants. Cause submitted.

Court recessed at 9:50 A.M.

January 4, 2000-Continued

DIVISION FIVE (Continued)

Court reconvened at 10:05 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B132776 Chiarenza v. Stiegler
B125893 County of L.A. v. American Surety Co.
B133891 People v. Delarosa
B129724 People v. Boyd
B131719 People v. Johnson
B127694 People v. Wickham
B128981 People v. Laos
B133317 People v. Cowart

Argument waived, cause submitted.

B131587 Toyota Technical Center
 v.
 California Air Resources et al.

Merits:

Argued by Stuart Drake, appearing pro hac vice, for appellants and by
Roderick E. Walston for respondents. Cause submitted.

Court recessed at 10:40 A.M.

DIVISION FIVE (Continued)

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

B126689 Tyler Investment Co. Ltd., et al.
 v.
 Alan B. Marenstein et al.

Merits:

Argued by Irwin Chasalow for appellants and by Michael R. White for respondents. Cause submitted.

B120616 The Vons Companies, Inc.
 v.
 United States Fire Insurance Co.

Merits:

Argued by Arthur Paul Berg for appellant and by Peter J. Godfrey for respondents. Cause submitted.

B131074 Lonnie White
 v.
 Southland Box Co., et al.

Merits:

Argued by Lenton Aikins for appellants and by Andrew C. Peterson for respondents. Cause submitted.

B132298 Tri-West Insurance Services, Inc.
 v.
 Seguros Monterrey Aetna, S.A.

Merits:

Argued by Timothy Kenna for appellant and by Stephen Glick for respondent. Cause submitted.

DIVISION FIVE (Continued)

B131351 Progressive Campaigns, Inc.
v.
Home Depot U.S.A., Inc.

Merits:

Argued by Thomas J. Leanse for appellant and by Dale L. Gronemeir for respondent. Cause submitted.

Court Adjourned

DIVISION SIX

B127112 People (Certified for Publication)
v.
Adan

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SEVEN

B122778 People (Not for Publication)
v.
Freeman

The judgment is affirmed.

Woods, J.

I concur: Lillie, P.J.
I concur: Neal, J. (Opinion)

January 4, 2000-Continued

DIVISION SEVEN (Continued)

B132793 People
v.
Forgus

(Not for Publication)

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B131215 People (Not for Publication)
v.
Mangram

The order (order revoking probation) under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B121099 People
 v.
 Eisenberg

Filed order denying petition for rehearing.